

DARRYL P. RAINS (CA SBN 104802)  
K.C. ALLAN WALDRON (CA SBN 231866)  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: 650.813.5600  
Facsimile: 650.494.0792  
Email: [DRains@mofo.com](mailto:DRains@mofo.com); [KCWaldron@mofo.com](mailto:KCWaldron@mofo.com)

DOROTHY L. FERNANDEZ (CA SBN 184266)  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
Telephone: 415.268.7000  
Facsimile: 415.268.7522  
Email: [DFernandez@mofo.com](mailto:DFernandez@mofo.com)

Attorneys for defendants Schwab Investments and Charles  
Schwab Investment Management, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NORTHSTAR FINANCIAL ADVISORS INC.  
on behalf of itself and all others similarly situated,

Plaintiff,

v.

SCHWAB INVESTMENTS and CHARLES  
SCHWAB INVESTMENT MANAGEMENT,  
INC.,

Defendants.

Case No. CV-08-4119 SI

CLASS ACTION

STIPULATION AND [PROPOSED]  
ORDER EXTENDING TIME FOR  
DEFENDANTS TO RESPOND TO  
AMENDED COMPLAINT

1 WHEREAS, plaintiff commenced this Action by filing a complaint on August 23, 2008  
2 (the "Complaint");

3 WHEREAS, on February 19, 2009 the Court issued an order granting in part and denying  
4 in part defendants' motion to dismiss plaintiff's Complaint and ordered plaintiff to file an  
5 amended complaint no later than March 2, 2009;

6 WHEREAS, plaintiff filed its amended complaint on March 2, 2009;

7 WHEREAS, defendants must respond to the amended complaint on or before March 16,  
8 2009, pursuant to Federal Rules of Civil Procedure 15(a)(3) and 6(a)(2);

9 WHEREAS, defendants have agreed to notice any motion to dismiss in this case to be  
10 heard on May 1, 2009, the same day that the initial case management conference is set in this  
11 case;

12 WHEREAS, granting defendants an extension of time to respond will have no effect on  
13 other proceedings in the case and will not change any Court-ordered deadlines

14 IT IS HEREBY STIPULATED AND AGREED among the undersigned parties that  
15 defendants shall file a motion to dismiss by March 26, 2009; plaintiff shall file an opposition on  
16 April 10, 2009; defendants shall file a reply on April 17, 2009; and, subject to the Court's  
17 availability, the Court shall hear defendants' motion to dismiss on May 1, 2009.

18 IT IS SO STIPULATED.

19 Dated: March 4, 2009

20 Darryl P. Rains  
21 Dorothy L. Fernandez  
22 K.C. Allan Waldron  
23 MORRISON & FOERSTER LLP

24 By: /s/ Dorothy L. Fernandez  
25 Dorothy L. Fernandez

26 Attorneys for Defendants  
27  
28

1 Dated: March 4, 2009

WOLF POPPER LLP

2 By: /s/ Robert C. Finkel  
3 Robert C. Finkel  
(admitted *pro hac vice*)

4 845 Third Avenue  
5 New York, NY 10022  
6 Telephone: (212) 759-4600  
Facsimile: (212) 486-2093

7 Marc J. Gross (admitted *pro hac vice*)  
8 GREENBAUM ROWE SMITH & DAVIS LLP  
9 75 Livingston Street, Suite 301  
10 Roseland, New Jersey 07068  
Telephone: (973) 535-1600  
Facsimile: (973) 535-1698

11 Attorneys for Plaintiff Northstar Financial  
Advisors, Inc.

12 Joseph J. Tabacco, Jr.  
13 Christopher T. Heffelfinger  
14 James C. Magid  
15 BERMAN DEVALERIO  
425 California St., Suite 2100  
San Francisco, California 94104  
Telephone: (415) 433-3200  
Facsimile: (415) 433-6382

16 Local Counsel

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18  
19  
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21 IT IS SO ORDERED.

22 Dated: March \_\_, 2009



23 HONORABLE SUSAN ILLSTON  
24 UNITED STATES DISTRICT JUDGE  
25  
26  
27  
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**ATTESTATION OF E-FILED SIGNATURES**

I, Dorothy L. Fernandez, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Extending Time For Defendants To Respond to Amended Complaint. In compliance with General Order 45, X.B., I hereby attest that Robert C. Finkel has concurred in this filing.

Dated: March 4, 2009

MORRISON & FOERSTER LLP

By: /s/ Dorothy L. Fernandez  
Dorothy L. Fernandez

Attorney for Defendants